

HAMPTON PLANNING BOARD

Minutes

August 20, 2008 – 7:00 p.m.

PRESENT: Tracy Emerick, Chair
Mark Loopley, Clerk
Fran McMahon
Keith Lessard
Tom Higgins
Richard Bateman, Selectman Member
Robert Bilodeau, Alternate
James Steffen, Town Planner
Candice Sicard, Planning Secretary

ABSENT: Robert Viviano, Vice Chair

I. CALL TO ORDER

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

- Glenn Greenwood, Rockingham Planning Commission – Master Plan update.
Community Facilities Section.

Mr. Greenwood introduced himself and reviewed the findings for the Hampton community facilities. He detailed the proposed changes, upgrades and improvements to the Town Hall, Lane Memorial Library, the Fire & Police Station and the old Town Hall. Mr. Greenwood spoke about the unused space at the current Town Hall. He noted that changes to utilize this building might be expensive and that the planning function should be strong if the Town decides to make these changes. Mr. Greenwood believes the Building, Planning and the Fire Department could work in a close proximity considering the relationship of the department's functions. He also believed that there could be a closer connection between municipal and school district function. Mr. Greenwood explained that the Fire Department is in need of immediate attention. Mr. Greenwood said the Library should be larger. He also noted that there are great benefits to the Town Center but it needs improvement. Mr. Greenwood pointed out that the Public Works Department is very busy, and that there are distinct needs there as well. Mr. Greenwood explained his thoughts on the old district court and the old Town Hall. He explained that there is a close relationship between police and fire and maybe somehow the fire station could be tied into the new police station. Mr. Higgins asked if he meant 30% more floor area on page three of his handout, and Mr. Greenwood confirmed that. Mr. Higgins asked if the Beach Fire Station was one of the main concerns. Mr. Greenwood noted that there is great potential for something to go wrong there and that it is a great concern with this site. Mr. Higgins noted Station 2 is still operational and Mr. Greenwood said that the beach station is the primary concern. Mr. Lessard asked what Mr. Greenwood meant by the Town Center and it was clarified he meant by the Town Hall and the Fire Station / Government Center. Mr. Lessard asked for the total cost for the planned facilities. Mr. Greenwood stated around fifteen million. Mr. Lessard asked if that included the wastewater outfall. It was clarified that it does not. Mr. Lessard asked about facilities and if Mr. Greenwood is referring to the physical structures themselves. This was confirmed. Mr. Lessard asked about the Town and the schools working together, and if there was an

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estimated cost for that. Mr. Greenwood noted that the school may have been thinking of a capital program around eight million dollars. There was discussion about the community center. Mr. Bilodeau asked about the Fire and Police Station efforts together and what that would entail. Mr. Greenwood noted that they should work closely to each other to be more effective. Mr. Lessard asked about the fire station, and if there was a recommendation to have one super fire station, and there was discussion about response times. Mr. Bateman noted that he was pleased that the Department of Public Works was included. He noted that there is a need for the shed to house sand and salt. Mr. Bateman explained that the old courthouse was a school and a fire station at one point. Mr. McMahon asked how the Building, Fire and Planning got added together and if the departments were removed from the Town Hall what would the extra space be used for. Moreover, Mr. McMahon asked if there is a plan for the needs of the Town Hall Building. Mr. Greenwood noted that space is a priority. There was discussion about joining the Town Hall and Library. Mr. McMahon explained that the use of Academy Ave. is important. Mr. Greenwood noted that there should be more revision before another public hearing.

- Introduction of Rayann Richard

Rayann Richard was introduced as the Town Planners selection for the Conservation Coordinator position.

MOVED: by Mr. Lessard to accept Rayann Richards as the as the new Conservation Coordinator.

SECOND: Mr. Bateman

VOTE: 7-0-0

MOTION PASSED

III. PUBLIC HEARING – SITE PLAN & SUBDIVISION REGULATIONS AMENDMENT

Mr. Steffen explained the amendments regarding the mandatory design review. Mr. Steffen explained that the amendments would eliminate mandatory design review because the Planning Board cannot require it without authorization from the Town Meeting

PUBLIC: No Comment

MOVED: by Mr. Lessard to eliminate the Mandatory Design Review requirement in the Site Plan and Subdivision Regulations.

SECOND: by Mr. Bateman

VOTE: 7-0-0

MOTION PASSED

- **APPENDIX A-1 Temporary Parking Lot Review**

Mr. Steffen noted the changes that have been previously made. There was discussion about the temporary parking lot review. Mr. Loopley commented that if an applicant comes back for a subsequent year the Board may require further improvements to the site than the existing ones. The following wording would be added to number 9 “May be subject to provisions in number 10”.

PUBLIC: No Comment

MOVED: by Mr. Lessard to adopt Appendix A-1 as amended

SECOND: by Bateman

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VOTE: 7-0-0

MOTION PASSED

IV. CONTINUED PUBLIC HEARINGS

07-037 426 High Street Continued from 04/13/07, 06/20/07, 09/19/07, 06/18/08

Map 166 Lot 6

Applicant: Ken Sakurai

Special Permit to Impact Wetlands Conservation District to enlarge a pond, construct a barn and remove sheds.

APPLICANT

Before the applicant spoke Mr. Steffen gave the history of the project and the recent developments. Mr. Higgins asked if the reason the application was continued in June was due to issues remaining with the Conservation Commission. Luke Hurley, Gove Environmental spoke on behalf of the Ken Sakurai, explaining that the wetlands permit was received from State, which was what they were mainly waiting on. He noted that the sheds and barn have been removed. Mr. Hurley described the changes to the plan. Mr. McMahon asked how many sheds have been removed, and Mr. Hurley explained that seven have been removed and that the applicant kept one shed for storage. There was discussion about getting an updated plan. Mr. Hurley noted when they filed the State Application; they did go to Conservation Commission meetings where they opposed the project. Mr. Loopley asked about the excavation. There was discussion about the temporary staging area. Mr. Loopley asked if it was common that the State would grant a permit prior to the Conservation Commission approval. There was discussion about temporary disposal, the definition of temporary, and temporary elevation. Joe Coronati, Jones and Beach Engineers, noted that the area for the disposal is not temporary and is out of the buffer. He noted that it is common that the State permit is granted with the Conservation Commission not recommending it. There was discussion about the applicant going back to the Conservation Commission with the latest plan.

PUBLIC

No comment

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MOVED by Mr. McMahon to continue the referenced application to the September 3, 2008 meeting to allow the Conservation Commission to further comment on the latest plan.

SECOND by Mr. Lessard

VOTE: 7-0-0

MOTION PASSED

08-013 431-435 Ocean Blvd Cont. from 03/05/08, 04/16/08, 05/21/08, 06/18/08, 07/16/08

Map 266, Lots 27 & 47

Site Plan Review: To demolish Riviera Motel and residential buildings. Construct a 23-unit condominium with on-site parking and amenities. Eliminate 3,550 SF of impervious in buffer, restore wetlands along the marsh.

Applicant: Keir Family Entrepreneurs Inc.

Owner of Record: Denise Campeau & Keir Family Entrepreneurs Inc.

08-014 431-435 Ocean Blvd Cont. from 03/05/08, 04/16/08, 05/21/08, 06/18/08, 07/16/08

Map 266, Lots 27 & 47

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Special Permit to Impact Wetlands: To demolish Riviera Motel and residential buildings. Construct a 23-unit Condominium with on-site parking and amenities. Eliminate 3,550 SF of impervious in buffer, restore wetlands along the marsh,
Applicant: Keir Family Entrepreneurs Inc.
Owner of Record: Denise Campeau & Keir Family Entrepreneurs Inc

APPLICANT

Attorney Steve Ells, Joe Coronati, Jones and Beach Engineers, David Keir applicant appearing. Attorney Ells gave a brief overview of the application and the changes that have been made to the new plan set. Mr. Coronati reviewed his responses to the letter from Ambit. There was discussion about drainage, the height of the garage door, being 8 x 18 ft., the pool and where it would be drained, bathrooms and lighting. It was also noted that snow storage was removed from the buffer. Mr. Coronati explained that there are still discussions taking place with the Fire Department. Mr. Higgins asked about the review from Unitil. There was discussion about the pool truck fitting in the 8 ft garage; Mr. Coronati explained that the truck would stay on the road during maintenance. There is temporary parking allowed on the street currently. Mr. Loopley asked about the side elevations. Mr. Coronati gave the Board a copy of the plan showing the side elevations. Mr. Loopley asked about smoke vents how important they were and how the cables run, he noted that if the wire needed protection it is important to show that. Mr. Coronati noted that those types of items would be covered in the building permits. Mr. Loopley asked about bark mulch going into the neighbor's property. There was discussion about how the site is lower than the neighbors, and that there will be a curb. Mr. Higgins asked about markers for wetlands, and he was concerned that there should be markers so the snow is stored outside the buffer. Mr. Higgins noted that markers to delineate wetlands would be necessary in addition to the granite bollards. Mr. Coronati noted that this could be done.

PUBLIC

Sharon Somers representing Top of the Surf Condominium Association explained the concerns the residents have with the project.

There was discussion about access to the site, D.O.T permits, and space enough for cars to pull in and out. There was also additional discussion about the lighting.

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Mr. Lessard asked about a garage door and how one would visit the condominium. It was noted that visitors would need to have unit owner's open the doors remotely for them. Mr. Coronati noted that there is a pedestrian door, and an intercom. Mr. Lessard clarified that the guests would be coming in by the trash room. Mr. Higgins asked about visitors parking, and how the garage door would be opened when a visitor came. Mr. Bateman asked about power failures and garage door. Mr. Higgins asked if the height of the garage door open and if there was enough clearance once this was taken into account. There was discussion about the size of the trash room and where recycling would go. Mr. Lessard believed that there should be a recycling space designated for the building. Attorney Ells spoke about the Hampton Beach Area Commission Review and meeting again with them. Attorney Ells suggested an additional 30-day time frame to meet again with the Planning Board. Mr. Bateman discussed asked would bring the trash from the trash room to the street. It was noted that there is a trash company who will take the trash from the development. Mr. Bateman pointed out that during the loading

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process, the sidewalk would be blocked. Mr. Coronati noted that there are other ways so the trash truck does not block pedestrian traffic.

MOVED by Mr. Lessard continue the referenced application to the September 17, 2008 meeting.

SECOND by Mr. Bateman

VOTE: 7-0-0

MOTION PASSED

V. CONSIDERATION OF MINUTES of August 6, 2008

Page 3: Added, “ Mr. Higgins asked if the Galley Hatch should be included as an applicant and if approved parking was changing.”

There was discussion about the Galley Hatch needing to be part of the application.

Page 4: “Mr. Higgins asked about people going onto Winnacunnet from Route 1 and the problems with that area for drivers, he also asked if the Hampton Beach sign is involved as well.” Changed to “Mr. Higgins asked about drivers going onto Winnacunnet from Route 1 and the problems with that area for drivers and the entrances and exits. He also asked if the Hampton Beach sign is involved.”

“Steven Pernaw gave an explanation of what the traffic study found” changed to “Steven Pernaw gave an explanation of what the traffic study found. He noted that having less entrances is always safer, and was unsure of why they weren’t lessened when the Board suggested it.”

“Mr. Higgins noted that it is hard to tell whether people are going right onto Winnacunnet Road or into the Galley Hatch and that it is dangerous” changed to “Mr. Higgins noted that it is hard to tell whether people are going right onto Winnacunnet Road or into the Galley Hatch and that it is dangerous, a right turn lane should be considered.”

Page 7: Added, “ Mr. Higgins passed out an article detailing the Shoreland Protection Act noting that there was no building at all within 50 feet from the shore. There was discussion about how this will effect development of streets such as Mooring Drive.”

MOVED by Mr. Loopley to approve the minutes as amended

SECOND by Mr. Bilodeau

VOTE: 7-0-0

MOTION PASSED

VI. CORRESPONDENCE

VII. OTHER BUSINESS

1. Royal Shores Extension

Jean Boudreau noted that there have been changes made including removal of the orange fence. Mr. Steffen noted that he inspected the site, the orange fence had been removed, and the appearance of the site has improved. There was discussion about the previous motion and if all conditions had been adhered to.

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MOVED: by Mr. Higgins to approve a ten month extension with the condition that a copy of the fencing contract be delivered to the Planning Office.

SECOND by Mr. Bilodeau

VOTE 7-0-0

MOTION PASSED

2. Driveway Regulations

There was some discussion about the proposed driveway regulations and it was suggested that the Board review these for the next meeting.

3. Employee Contracts

Mark Gearreald, Town Attorney explained that the State retirement system has made some changes recently. One product of the new bill is funding for retirement benefits and those benefits derived from more than just base pay, such as leave time. He noted that if Town has an employment agreement with each person in place before bill is finally enacted, the Town is not responsible for that difference or spike. Mr. Gearreald noted that the Town does not have contracts in place for non-union employees and the Board can allow Chairman Emerick to sign the contracts to avoid the of spiking charge. There was discussion about employee contracts.

MOVED by Mr. Higgins to approve the signing of the employee contracts by Chairman Emerick.

SECOND: by Mr. Bilodeau

VOTE: 5-2-0 Mr. Bateman & Mr. Lessard abstained MOTION PASSED

Mr. Bateman wanted to applaud Chairman Emerick for developing new planning strategies and getting the input from the public with the meeting on 09/17/08.

VIII. ADJOURNMENT

MOVED by Mr. Bateman to adjourn.

SECOND by Mr. Loopley

VOTE: 7-0-0

MOTION PASSED

Meeting adjourned at 9:39pm

Respectfully Submitted,
Candice Sicard, Planning Secretary